

City of Reading City Council
Regular Business Meeting
Monday, June 11, 2012

Council President Francis G. Acosta called the meeting to order.

The invocation was given by Reverend Calvin Kurtz, Berks Conference of Churches.

All present pledged to the flag.

ATTENDANCE

Council President Acosta
Councilor Corcoran, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
Mayor V. Spencer
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher

PROCLAMATIONS AND PRESENTATIONS

The City Clerk administered the oath of office to the following firefighters who were promoted

- Lieutenant Jeremy Searfoss – Fire Prevention
- Lieutenant Keith Moyer – Fire Prevention
- Lieutenant Larry Moyer – Fire Prevention
- Fire Chief David Hollinger – Department Director

City Council issued the following:

- Recognitions of Reading Musical Foundation Scholarship Winners
 - Alexandra Vargas
 - Isabelle Bender
 - Kevin Brown
 - Libni Rivera
 - Benjamin Chen

PUBLIC COMMENT

Council President Acosta announced that four (4) citizens were registered to address Council on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the Council meeting. As no one objected, the rule to require non-agenda comment at the end of the meeting was suspended. Council President Acosta reminded the citizens registered to speak about the remaining public speaking rules.

Tracy Salmond, of Wunder Street, was not present.

Peter Hart, of North 5th Street, stated that he received a bill for his rental inspection dated May 14th on Friday, June 8th. He stated that the due date on the bill was April. He questioned the justification for a \$705 bill for a 30 minute inspection. He expressed the belief that the charge was outrageous. He also noted that Property Maintenance staff when questioned about the inspection fee refers people to the Council Office.

Melvin Jacobson, of North 5th Street, stated that he reviewed the housing portion of the Economic Development section of the Transition Plan. He questioned why a Quality of Life ticket should be issued for a trash can that is located behind a fence. He inquired if the Quality of Life ticketing program applies to commercial properties as there are several commercial properties in Centre Park with property maintenance issues. He suggested using a hang tag program to educate property owners about the Quality of Life ticketing program.

Brigitte Eberly, of Salt Lake City, stated that she spoke at the May 14th regular meeting about the Quality of Life ticket she received for her uncultivated garden on Muhlenberg Street. She described her journey through the appeals process with the Berks County Court of Common Pleas. She distributed copies of her appeals paperwork and photographs of her property.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the agenda for this meeting and the minutes for the May 29 Regular Meeting of Council. He noted the need to add legislation to the consent agenda as follows:

- **Introduction of New Ordinance** amending the Property Maintenance Position Ordinance
- **Introduction of New Ordinance** requesting a transfer from the General Fund to Trash and Recycling.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the May 29th Regular Meeting of Council and the agenda as amended, including the legislation under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

- A. Resolution 72-2012** – appointing Steven Edward Ginder as a Firefighter Trainee (Fire)
- B. Resolution 73-2012** – appointing Joshua Russell Green as a Firefighter Trainee (Fire)
- C. Resolution 74-2012** – appointing Jeffrey Hughes LeCompte as a Firefighter Trainee (Fire)
- D. Resolution 75-2012** – appointing John Robert Naylor as a Firefighter Trainee (Fire)
- E. Resolution 76-2012** – appointing Gabriel John Shoemaker as a Firefighter Trainee (Fire)
- F. Resolution 77-2012** – appointing Ben Lloyd Barstow as a Firefighter Trainee (Fire)
- G. Resolution 78-2012** – appointing Kevin Charles Ayers, Jr as a Firefighter Trainee (Fire)
- H. Resolution 79-2012** – appointing James Patrick Salanik as a Firefighter Trainee (Fire)
- I. Resolution 80-2012** – appointing Richard H Zondlo, II as a Firefighter Trainee (Fire)
- J. Resolution 81-2012** – appointing Charlie John Secara as a Firefighter Trainee (Fire)
- K. Resolution 82-2012** – appointing Jason Matthew Wood as a Firefighter Trainee (Fire)
- L. Resolution 83-2012** – appointing Matthew Tyler Staley as a Firefighter Trainee (Fire)
- M. Award of Contract** - to Bertolet Construction, 100 South Church Road, Wernersville, PA 19565, at a total submitted bid price of \$50,179.50 for various improvements to the 3rd and Spruce Playground (Purchasing)

ADMINISTRATIVE REPORT

Mr. Murin highlighted the report for Mayor Spencer distributed to Council on Friday, June 8th as follows:

- Recap of the Edmonton Canada trip to visit Grey's Paper
- Update on the PILOT.
- Recognize the retirement of Fire Chief Jeff Squibb and the excellent job he did for Reading and the department.

Councilor Marmarou questioned the follow up for non profits that choose not to make a PILOT contribution. Mr. Murin stated that the method of follow up will be determined at a later time. He stated that the organizations who do contribute are not being released at this time.

Council President Acosta stated that he attended today's ICC meeting and the group discussed recognizing those who contribute and follow up.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- 2012 PILOT update
- 2011 External Audit update

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 36-2012 - authorizing the Mayor to execute the third addendum to the lease and operating agreement between the City of Reading, Pennsylvania and the Reading Area Water Authority, in the form attached hereto as Exhibit "A", and such other documents necessitated thereby, including, without limitation, (1) a deed conveying to the Reading Area Water Authority an approximately one hundred twenty (120) acre parcel of land located in Ontelaunee Township owned by the City and (2) a deed conveying to the Reading Area Water Authority an approximately two and thirty-nine one hundredths (2.39) acre parcel of land owned by the City and located at 1801 Moss Street in the City of Reading (**Man Dir**) *Introduced at the March 12 regular meeting; Tabled at the March 26 regular meeting; Tabled at the April 2 special meeting; Tabled at the April 9 regular meeting*

Councilor Corcoran moved, seconded by Councilor Marmarou, to enact Bill No. 36-2012, with the attached MOU.

Mr. Acosta described the background of this issue. He stated that Council has received the clarification requested.

Councilor Goodman-Hinnershitz expressed the belief that this topic was thoroughly vetted. She thanked the Reading Area Water Authority for their patience as the issue was discussed.

Councilor Waltman stated that he will not support this ordinance as he does not agree that any authority should hold title to land purchased by the City. He expressed the belief that

when original agreements are amended too many times, the original intent becomes eroded.

Bill No. 36-2012 was enacted by the following vote:

Yeas: Acosta Corcoran, Goodman-Hinnershitz, Marmarou, Sterner – 5

Nays: Reed, Waltman -2

B. Bill No. 64-2012 – amending Codified Ordinance Chapter 27 Zoning Part 18 Floodplain Districts (**Public Works**) *Introduced at the May 14 regular meeting; Public Hearing held on June 4*

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 64-2012.

Bill No. 64-2012 was enacted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President -7

Nays: None -0

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance - authorizing the Mayor to execute a grant of right of way and easement and an access agreement between the City of Reading and Habasit America, Inc., thereby conveying unto the City of Reading a nonexclusive, temporary construction easement and nonexclusive, perpetual access easement upon that portion of premises within parcel identification number 530620916265, situate at 825 Morgantown Road in the City of Reading, Pennsylvania (**Public Works**)

B. Ordinance – amending City of Reading Codified Ordinances Chapter 4 Buildings by adding the Heights Conservation District (**HARB**)

C. Bill No. 52-2012 – amending the Codified Ordinances, Chapter 11, Housing, Section 102, Definitions, by expanding the definition of a Vacant Property to include a Vacant Property for Sale, A Vacant Property Undergoing Rehabilitation and a Vacation/Second Residence as well as adding a Penalty for Failing to Timely Register a Vacant Property as attached in Exhibit A (**Law**) *Introduced at the April 23 regular meeting without documentation*

D. Ordinance - amending the Fee Schedule of the City of Reading, Berks County, Pennsylvania, Codified Ordinances, related to the Property Maintenance Division of the Department of Community Development Vacant Property Registration (**Law**)

E. Ordinance – requesting the authorization to transfer fund from the General Fund to the Trash and Recycling Fund (**Admin Services**).

RESOLUTIONS

A. Resolution 69-2012 - extending the term of exemptions, deductions, abatements and credits for real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in City of Reading, Berks County designated as a Keystone Opportunity Expansion Zone (“KOEZ”) or Keystone Opportunity Improvement Zone (“KOIZ”) in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within areas of City of Reading, Berks County, Commonwealth of Pennsylvania, upon certain terms and conditions **(Com Dev)** *Tabled at the May 29 regular meeting; Joint meeting with the School Board and County Commissioners held on June 6*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution 69-2012.

Councilor Reed expressed her belief in this incentive program and in the joint meeting held to review this program last week.

Councilor Goodman-Hinnershitz also agreed with the process used to review this program.

Councilor Waltman expressed the belief that the program has successes and failures. He stated that the Berkshire Bottling plant was a failure but a positive as the plant never was completed. He stated that the completion of this plant would have been devastating to the adjoining residential neighborhood.

Council President Acosta and Councilor Goodman-Hinnershitz stated that Berkshire Bottling will not qualify for tax relief under the KOEZ or KOIZ programs.

Resolution 69-2012 was adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 7

Nays: None- 0

B. Resolution 70-2012 - authorizing the exemptions, deductions, abatements and credits for real property, earned income tax, net profits mercantile, and business privilege taxes within a specific geographic area in City of Reading, Berks County (“expansion parcel(s)”) designated as a proposed expansion of a contiguous existing Keystone Opportunity Expansion Zone (“KOEZ”) or Keystone Opportunity Improvement Zone (“KOIZ”), as appropriate, in order to foster economic opportunities, stimulate industrial, commercial, and residential improvements and prevent physical and infrastructure deterioration within the designated areas of City of Reading, Berks County, Commonwealth of Pennsylvania, upon certain terms and conditions **(Com Dev)** *Tabled at the May 29 regular meeting; Joint meeting with the School Board and County Commissioners held on June 6*

Councilor Corcoran moved, seconded by Councilor Reed, to adopt Resolution 70-2012.

Resolution 70-2012 was adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7

Nays: None- 0

C. Resolution 84-2012 – accepting the PennVest loan in the amount of \$10,013,950 for the Waste Water Treatment Plant project (**Financial Solutions**)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution 84-2012.

Resolution 84-2012 was adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7

Nays: None- 0

D. Resolution 85-2012 – reappointing William Miller to the Building and Fire Code Board of Appeals (**Nom & Appts**)

E. Resolution 86-2012 – appointing Sean Moretti to the Main Street Board (**Nom & Appts**)

F. Resolution 87-2012 – appointing Erin Weller to the Historical Architectural Review Board (**Nom & Appts**)

G. Resolution 88-2012 – appointing Michael Leifer to the Fire Civil Service Board (**Nom & Appts**)

Councilor Marmarou moved, seconded by Councilor Corcoran, to adopt Resolution 85-88-2012.

Councilors Marmarou and Corcoran noted the skill and ability of those being appointed this evening.

Resolutions 84-88-2012 were adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7

Nays: None- 0

COUNCIL COMMENT

Councilor Marmarou noted the success of the College Heights annual yard sale. He also noted that Boy Scout Lucas Fick attended tonight's Council Meeting to learn more about local government and good citizenship.

Councilor Corcoran described his recent meeting with some landlords about the new rental inspection fee. He agreed that the fee and rental inspection program should be made more reasonable.

Councilor Marmarou was excused to attend another meeting.

Councilor Reed thanked Senator Schwank for assisting with the truck traffic problem on River Road, located in the Riverdale area. She also noted the great turn out at the recent meeting held for 15th Ward residents. She also described the meeting of all downtown economic development groups last Thursday.

Councilor Goodman-Hinnershitz noted the upcoming Duryea Hill climb and its long history in Reading.

Councilor Sterner congratulated the fire fighters promoted this evening and those honored with recognition certificates. He stated that the Hillside Bingo program will be held every Monday night through the summer.

Councilor Waltman expressed the belief that a 17% staff reduction will not solve the Reading School District's financial problems. He stated that the District has a limited opportunity to teach Reading's children and questioned if reducing teachers is the best strategy. He encouraged them to find an alternative solution.

Ms. Goodman-Hinnershitz expressed the belief that the announced staff cuts and building closings will have negative repercussions.

Council President Acosta noted the success of the African American parade over the past weekend.

Council President Acosta announced that Council will be holding a Special Meeting on Thursday, June 14th to consider the appointment of the Administrative Services Director and set his salary.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Sterner, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk